

REGULAR

23

JUNE

2009

3:30 P.M., Ohio County Community Center, Hartford, Ky

Meeting called to order by Judge Executive David Jones. Prayer by Magistrate Hayward Dean Minton. Pledge to the American flag.

Those present were as follows:

David G. Jones	Judge Executive
Gregory B. Hill	County Attorney
Cheryl Morris	Fiscal Court Clerk
Hayward D. Minton	Magistrate District 1
Jason Bullock	Magistrate District 2
Richard Robinson	Magistrate District 3
Larry Keown	Magistrate District 4
Bill Burden	Magistrate District 5

Motion made by Esq. Burden that the Court approve the minutes of the regular meeting on June 2, 2009 as presented. (on file in Fiscal Court Order Book, Clerk’s office)

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Tardy
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve the bills, claims, payments and transfers as presented. (copy on file, Clerk’s office)

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Tardy
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve the Treasurer’s Financial Statement for the month of May 2009 as presented (copy on file in Clerk’s office).

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Tardy
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to award the bid for FY 2009-2010 management and operation of emergency and non-emergency ambulance service in Ohio County to the lone bidder, Com-Care, Inc. as submitted (copy attached).

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Tardy
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve the bid for a new 2009 Ford E-350 Super Duty Chassis, Type III Ambulance from Life Star Rescue Inc. in the amount of \$87,681.00 (copy attached).

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve a Joint Resolution regarding a grant for LGEDF multi-county funds for a Coal Miner’s Training and Certification Project; contingent upon receiving a written commitment from Muhlenberg County that training certification classes will be provided in Ohio County on days, nights and weekends, as needed (copy attached).

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	No
Keown	Yes
Burden	Yes
Jones	Yes

Said motion having carried five (5) to one (1) it is so ordered.

Motion made by Esq. Keown that the Court approve to go into Closed Session for the discussions of pending litigation on behalf of the Fiscal Court. No other business will be discussed during the Closed Session and no official action shall be taken or consensus made by the Fiscal Court. The legal authority that allows us to go into Closed Session is KRS 61.810(1)(c) which authorizes the Fiscal Court to have discussions of proposed or pending litigation against or on behalf of the public agency. The legal reason we are going into Closed Session is for discussion of pending litigation.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to go back into Open Session. No other business was discussed or action taken during the Closed Session except what was stated by me before going into Closed Session regarding pending litigation.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve the following bids for work to be performed on the Tamarlane Industries building to be paid for with CDBG grant funds: 1) Black Construction for warehouse renovation in the amount of \$516,500, subsequently adjusted to \$382,000; and, 2) Ohio Valley Sprinkler for heat & wet sprinkler system in the amount of \$443,362 (copy attached).

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to award the bid from Scotty’s Contracting in the amount of \$63.46 per ton for blacktop delivered, placed and compacted on various county roads in all parts of the county (copy attached).

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The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to adopt the FY 2009-2010 Employee Pay Rates Listing schedule (copy attached).

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve the Second Reading and Adoption of Ordinance No. 2010-2 - Preapproved Recurring Expenses, FY 2009-2010 for payroll and/or utility expenses (copy on file in Ordinance Book – Clerk’s Office).

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Bullock that the Court approve to initiate road closing procedures for C-620 Daniels Mine (previously referred to as C-207).

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Recommendation by Judge Jones that the Court approve to hire Stephanie Heflin as a Monitor at the debris stockpile at a rate of \$12.50 per hour plus \$10.00 per hour for vehicle reimbursement effective June 23, 2009.

Roll call vote:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Motion made by Judge Jones that the Court approve to enter into a new Agreement with Premier Integrity Solutions to administer pre-employment drug testing to include all workplace employees, not just those with CDL’s as was previously contracted, retroactive to June 5, 2009.

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

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Motion made by Judge Jones that the Court approve to urge the Ohio County Water District Board to take a strong look into the qualifications, backgrounds and referrals of all construction companies bidding on the new water treatment plant; and, regardless of who is chosen, require that a certified copy of sufficient bond, with suretyship, be provided to the Fiscal Court prior to start of construction.

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	No
Burden	No
Jones	Yes

Said motion having carried four (4) to two (2) it is so ordered.

Motion made by Esq. Keown that the Court approve to advertise for bids on a new or slightly used pothole patching machine for the Road Department. The Road Foreman is to obtain names and addresses of the different companies that sell this particular piece of equipment and provide those to the Judge’s office prior to advertising.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the meeting is adjourned.

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Yes
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Meeting is adjourned.

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David Jones, Judge Executive

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Cheryl Morris, Fiscal Court Clerk